



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,924	12/19/2001	Carolynn Rae Johnson	PU010113	5649

7590 10/18/2005

JOSEPH S. TRIPOLI
THOMSON MULTIMEDIA LICENSING INC.
2 INDEPENDENCE WAY
P. O. BOX 5312
PRINCETON, NJ 08543-5312

EXAMINER

JOHNSON, ALAN M

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/024,924	JOHNSON, CAROLYNN RAE	
	Examiner	Art Unit	
	Alan M. Johnson	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Parental control system using different levels of acceptability based on one or more rating examples.

2. The abstract of the disclosure is objected to because 'said rating example' (line 8). Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claim 5 is objected to because of the following informalities: analogue (line 12 and 17) is a misspelling of analog. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 6-7, 9-12, 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Goddard (6,684,240).

Considering claim 1, Goddard discloses a method for selecting rating limits in a program content filtering system, wherein said rating limits define whether program are to be blocked or are deemed to be acceptable (col. 3, lines 10-55), comprising:

- (a) Reproducing information about a rating example (col. 3, lines 35-38);
- (b) Supplying at least one recommended rating assigned to said rating example ("appropriateness" – col. 5, lines 52-57)
- (c) Detecting an user indication about the acceptability of said rating example (the system detects when the user adjusts the acceptability of the rating – col. 3, lines 31-33);
- (d) assigning said user indication to said recommended rating (col. 3, lines 33-38)

(e) deriving a rating limit in response to assigning said user indication to said recommended rating ("adjusting the content" - col. 3, lines 33-38)

As for claim 2, Goddard discloses repeating the process of reproducing, supplying, detecting and assigning for plural examples and then deriving rating limit in response to the plural examples in col. 6, lines 42-48.

Regarding 3, Goddard discloses the following:

- (a) Storing said rating limits (user sets desired level of filtering – col. 3, lines 38-39)
- (b) Receiving programs comprising multimedia content and assigned recommended ratings (col. 5, lines 62-66)
- (c) Comparing the stored rating with the received assigned recommended rating (col. 6 lines 1-5 and column 7 lines 34-37)
- (d) Denying access to programs exceeding at least one of the rating limits (col. 6 lines 1-14)

With respect to claim 4, Goddard discloses the following:

- (a) Said programs are television programs (col. 3 lines 28-30 and lines 60-66)
- (b) said program content filtering system is a parental control system (col. 4 lines 1-9)

Regarding 6, Goddard discloses that the recommended ratings define the age of the viewer the program is designed for (Goddard col. 5 lines 54-58 and col. 6 lines 1-15)

Regarding claim 7, Goddard discloses recommended rating (associated content rating col. 5 lines 64-67).

Regarding 9, Goddard discloses that the information about rating examples and said recommended ratings assigned to said rating examples are received within electronic program guide information (Column 4 lines 18-27)

Regarding 10, Goddard discloses that the information about rating examples and said recommended ratings assigned to said rating examples are stored in a receiver device (col. 7 lines 14-24)

Regarding 11, Goddard discloses that for a networked device the information about rating examples and the recommended ratings assigned to the rating examples are stored in a remote server (stored in the memory of another information appliances and transmitted over a local area network or a wide area network, such as the internet, col. 11 line 66 - col. 12 line 16)

Regarding 12, Goddard discloses that the information about rating examples are the recommended ratings assigned to said rating examples are selected by the user from the normal EPG schedule (col. 4 Lines 18-27)

Regarding 14, Goddard discloses displaying the overview of derived rating limits (column 5 lines 54-57).

Regarding 15, Goddard discloses the following:
The derived rating limits can be manually amended (col. 6 lines 61-65)

Regarding 16, Goddard discloses an apparatus with:

- (a) Means (618-620, Fig. 6) for receiving programming including rating information (col. 12 lines 35-39 and col. 13, line 66 – col. 7, line 4)
- (b) Control means (602,604, 618,610,616) responsive to rating information and to a rating limit for providing content filtering of the programming (col. 8 lines 7-13), the control means comprises:
- (c) means (604) for providing information about a rating example (col. 3, lines 10-55 and col. 5 lines 52-57)
- (d) means (602, 618, 610, 616) for deriving the rating limit in response to an indication from user about the acceptability of the rating example (col. 3, lines 233-38 and col. 6 lines 1-5)

Regarding 17, Goddard discloses an apparatus with:
means (Fig. 6) for repeating the process of reproducing, supplying detecting and
assigning rating limits for a plurality of examples (col. 6, lines 42-48 and col. 4
lines 18-27)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Goddard in view of Knowles et al. (Knowles) (6,505,348).

Considering claim 5, Goddard discloses that the television programs are
received as an analog television signal (I/O devices provide or receive analog or
digital signals, col. 13 line 66 through col. 14 line 3).

Goddard fails to specifically teach that the assigned recommended ratings
are received in the vertical blanking interval of the analog television signal.

In an analogous art, Knowles discloses a rating system for television
programs for receiving assigned recommended ratings in the vertical blanking
interval (VBI). See col. 9, lines 50-56.

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to include receiving assigned recommended ratings in the vertical blanking interval, as taught by Knowles, for the advantage of sending additional television related information in a portion of the signal that will not disrupt the viewer.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard in view of Ali et al. (Ali) (US 2002/0199186 A1).

Goddard fails to specifically teach that the user indications comprise various degrees of acceptability.

In an analogous art, Ali discloses a rating system for television programs that allows the user to select various degrees of acceptability. See Paragraph 30 lines 1-7.

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to allow the user to select various degrees of acceptability as taught by Ali for the advantage of more precisely rating programs that fall within the grey area between yes and no.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard in view of Knowles et al. (Knowles) (6,505,348).

Regarding 13, Goddard discloses that the currently broadcasted programs are used as information about rating examples (col. 8 lines 12-37)

Goddard fails to disclose wherein recommended ratings broadcast embedded into the currently broadcast programs are used as said recommended ratings assigned to the rating examples

In an analogous art, Knowles discloses recommended ratings broadcast embedded into the currently broadcast programs (rating data transmitted over the VBI col. 9, lines 50-56).

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to allow the use of recommended ratings broadcast embedded into the currently broadcast programs for the advantage of instantaneously receiving the information about the requested program which would ensure that the appropriate blocking or unblocking action could take place immediately.

10. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard in view of Cooper Jr et al. (Cooper) (US 2003/0223734 A1).

Regarding claim 18, Goddard discloses an apparatus (Fig. 5) with a parental control system (PC/TV system col. 12 lines 30-35 and commanding the parental control system col. 8 lines 23-28), comprising:

(a) a processor for executing a rating limits application, wherein the rating limits application provides rating examples and processes user indication about the acceptability of the rating examples in order derive rating limits from the user indications (col. 12 lines 40-45)

- (b) reproducing information about the rating examples (col. 3, lines 35-38);
- (c) a display (614) for displaying the screen displays (col. 13 lines 43-51)
- (d) an input interface (616 and 618) for detecting user indications about the acceptability of the rating examples (keyboard, touchpad, infrared transducers. 13 line 51 – col. 14 line 3)
- (e) a memory (604) for storing the derived rating limits (set, col. 3 lines 38-39 and col. 12 line 61 – col. 13 line 14)

Goddard fails to specifically teach that an OSD generator for generating screen displays reproducing information.


In an analogous art, Cooper discloses an OSD (115 Fig. 3) generator for generating screen displays reproducing information (paragraph 41-42)

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to include an OSD generator for generating screen displays reproducing information, as taught by Cooper, for the advantage of creating a visible interface that would allow users to read information about the displayed rating example on the screen instead looking the rating up in a newspaper or a television guide.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan M. Johnson whose telephone number is (571)272-7916. The examiner can normally be reached on 8am-5pm.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJ


CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600